



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/883,847	06/27/97	GROUELL	W A-64456/JC

MM51/0414

JULIAN CAPLAN  
FLEHR HOHBACH TEST ALBRITTON & HERBERT  
FOUR EMBARCADERO CENTER  
SUITE 3400  
SAN FRANCISCO CA 94111

EXAMINER

CHERVINSKY, B

ART UNIT

PAPER NUMBER

2835

4

DATE MAILED:

04/14/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/883,847

Applicant(s)

Grouell

Examiner

Boris Chervinsky

Group Art Unit

2103



☒ Responsive to communication(s) filed on Jun 27, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-7 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-7 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. *SUBSTITUTE*

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948 *SUBSTITUTE*

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2103

## DETAILED ACTION

### *Drawings*

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### *Claim Rejections - 35 USC § 112*

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is misdescriptive because the shield cannot be used as a disk drive but can be used with a disk drive.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 rejected under 35 U.S.C. 102(b) as being anticipated by Marton.

Art Unit: 2103

Marton teaches a heat dissipator having a plate to fit over an electronic heat generating device and a louver-like structure with fins formed of thin heat conductive metal and having slanted outward-upward end edges.

***Claim Rejections - 35 USC § 103***

5. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marton as applied to claim 1 above, and further in view of Guo.

Marton discloses the claimed invention except for a plurality of screw holes and recessed surface to be contacted with heat generating member. Guo discloses a disk drive having a front case half 42 with a recess and screw holes 44 and 46. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include screw holes for securing the plate to a device and to have recessed area to have a thermal contact with the device's surface.

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. Stickney et al. Pat. 4,754,101; Herrick, Pat. 5,204,497 and Kojima et al. Pat. 5,625,229 disclose a louvered heat sinks to be attached to heat generating devices.

7. When the claims are amended, applicants should state in detail where in the original disclosure or in the drawings the amended features find support.

**No new matter** may be introduced.

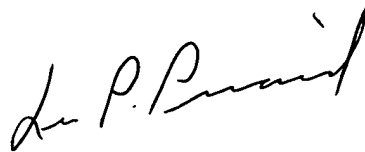
Art Unit: 2103

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Boris Chervinsky** whose telephone number is **(703) 308-5429**, Mon-Fri, 7 am-5:30 pm.

9. Any inquiry of a general nature or relating to the status of this application should be directed to the **Group receptionist**, Mon-Fri, 8 am-5:30 pm.

Phone: **(703) 308-1782**

Fax: **(703) 305-3431** or  
**(703) 305-3432**



LEO P. PICARD  
SUPERVISORY PATENT EXAMINER  
ART UNIT 213